

# **Manor College**

*Advancing a Unique Tradition*

## **Drug-Free Campus Manual**

**Manor College**  
**700 Fox Chase Rd.**  
**Jenkintown, PA 19046**

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Note: The Southeastern Pennsylvania AA Meeting Directory is kept in the Counseling Center

## MANOR COLLEGE DRUG-FREE CAMPUS MANUAL

### MANOR COLLEGE DRUG AND ALCOHOL POLICIES

Manor College has policies that clearly prohibit the unlawful possession, use, manufacture, distribution or sale of illegal drugs, drug paraphernalia, unauthorized prescription medication and alcohol by students and employees on the property of Manor College or as any part of Manor College's activities. Additionally, Manor's policy prohibits students and employees from being intoxicated or under the influence of a controlled substance, not prescribed for them by their physician, while on Manor College property or at any College activity or event.

**A. From the Manor College Student Handbook - Addendum of updated policy rev. 5/08 inserted into handbooks distributed to all new students and posted on the Student Life website:**

#### **Alcohol and Drug Policy**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Manor College has an official drug-free campus policy. The College complies with the Federal, State and local laws, including those which regulate the possession, use or sale of controlled substances.

**Alcoholic beverages are not permitted on campus at any time.** Both on campus and at all Manor College sponsored activities, this policy prohibits, regardless of the age of student, the possession, consumption, or sale, distribution of alcohol, and the possession, use, sale or manufacture of illegal drugs or drug paraphernalia, as well as the unauthorized distribution or sale of prescription drugs or possession of prescription drugs not prescribed to the student. Indications of the presence of marijuana use such as, but not limited to, the odor of marijuana, lack of cooperation with room search or other obstructions, attempts to mask or eliminate odors during or prior to a search or other behaviors designed to avoid detection are considered major violations of this policy. Being on campus intoxicated or under the influence of a controlled substance is also a violation of this policy. Students who have a guest on campus are responsible for her/his conduct and for advising the guest of the Manor College Alcohol and Drug policy.

Any drugs or drug paraphernalia found on the Manor College campus will be turned over to the proper authorities and, if deemed appropriate, the person involved will be turned over to the proper authorities as well. Manor College will not protect students from possible legal consequences of alcohol or drug possession and use. Because of the possible devastating effects of alcohol and drug abuse on the individual student including assault behaviors, alcohol poisoning, vulnerability to sexual assault, academic failure, injury and even death, Manor College is very serious about enforcement of its Alcohol and Drug Policy. **All first alcohol violations will result in mandatory alcohol education. (For other sanctions that may be applied, please refer to Sanctions for Major Violations, p. 42 & 43.)** In addition to strict enforcement, because our concern is the overall well-being of the student, we encourage the student who may be abusing alcohol and other substances to seek free confidential counseling through the Manor College Counseling Center.

***Note: As per the provisions of the Family Education Rights to Privacy Act (section 99.31) notification will be made to the parents or legal guardians of any student under the age of 21 who violates the Manor College Alcohol and Drug Policy.***

Revised May 2008

**B. From the Manor College Employee Handbook (distributed to all employees), policy #11, in the section Drug-Free Campus:**

Statement of Policy:

In accord with the Drug-Free Workplace Act of 1988, Manor College has adopted and implemented a program to prevent the illicit use of drugs and alcohol by employees and students.

By receiving a copy of this manual, each employee engaged in a qualifying government contract has been given a copy of this Drug-Free Campus Policy. All employees are required to familiarize themselves with and conform to the Company's Drug-Free Campus Policy as a condition of employment.

Scope of Policy:

Applies to all employees and students as indicated in the guidelines below.

Administrative Guidelines:

A. Employees

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace is strictly prohibited in/on all College premises and workplace.
2. Any employee convicted of a criminal drug conviction may:
  - a) Have appropriate personnel action taken up to and including termination of employment.
  - or
  - b) Be required to participate satisfactorily in a drug abuse assistance or rehabilitating program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency.
3. For purposes of this policy, the term "controlled substances" includes, but is not limited to, narcotics and illicit drugs (including drugs contained in Schedules I through III of Section 812 of the Controlled Substances Act (21 USC § 812), and other mood-altering or intoxicating substances not taken pursuant to a valid prescription.
4. In compliance with the Drug-Free Workplace Act, any employee convicted of a criminal drug violation in the workplace must notify the College within five (5) calendar days of the conviction. This reporting requirement is a condition of continued employment. The College must, in turn, notify the contracting agency of the conviction within ten (10) days after receiving the notice of the conviction. Any employee convicted of criminal drug violation, whether on or off Manor College's premises and whether or not during working hours, is subject to disciplinary action, up to and including termination.
5. Employees may contact the Counseling Office for information about and referrals to assessment and treatment resources. They may also use the lending library of materials on addictions and substance abuse.

**C. From the Manor College Full Time Faculty Handbook (distributed to all full-time faculty), under Personnel Policies in section V - Drug Free Campus:**

"In accordance with the Drug-Free Workplace Act of 1988, the College has adopted and implemented a program to prevent the use of drugs and the abuse of alcohol by employees and students. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace or while on duty for the College off campus. Any employee or student engaged in such conduct is subject to immediate disciplinary action up to and including termination of employment or enrollment. An employee or student, who has a drug or alcohol related problem, may contact the Counseling Office for information and referrals to assessment and treatment resources. They may also use the lending library of materials on addictions and substance abuse.

**D. From the Manor College Adjunct Faculty Handbook, (distributed to all adjunct faculty) under Personnel Policies in section V - Drug Free Campus:**

"In accordance with the Drug-Free Workplace Act of 1988, the College has adopted and implemented a program to prevent the use of drugs and the abuse of alcohol by employees and students. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace or while on duty for the College off campus. Any employee or student engaged in such conduct is subject to immediate disciplinary action up to and including termination of employment or enrollment. An employee or student, who has a drug or alcohol related problem, may contact the Counseling Office for information and referrals to assessment and treatment resources. They may also use the lending library of materials on addictions and substance abuse.

**E. From the Manor College Campus Security and Safety Procedures Manual - rev. 6/03 (distributed to all new employees and students):**

**Drug and Alcohol Policies**

**Background**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226, signed by President George Herbert Bush on December 12, 1989) Manor College has an official drug-free campus policy. This means that Manor College has adopted and implemented a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees.

1. Standards of Conduct

**Standards of Conduct prohibit the unlawful possession, use, or distribution of drugs and alcohol by anyone on the property of Manor College or as any part of Manor College's activities:**

The College complies with the Federal, State and local laws, including those which regulate the possession, use or sale of controlled substances. Alcoholic beverages are not permitted on campus at any time. This applies to all members of the Manor Community regardless of age. Also prohibited is the possession, use, sale, or manufacture of all illegal drugs and drug paraphernalia, as well as the unauthorized distribution or sale of prescription drugs.

Anyone coming to campus intoxicated or under the influence of a controlled substance, regardless of age, is also in violation of the College's Alcohol and Drug Policy. Anyone

who has a guest on campus is responsible for their guest's conduct and for advising such persons of the Alcohol and Drug Policy. Any drugs or drug paraphernalia found on the Manor College Campus will be turned over to the proper authorities and, if deemed appropriate, the person involved will be turned over to the proper authorities as well. Manor College will not protect members of its community from possible legal consequences of drug possession and use. If a situation occurs where illegal possession or use of drugs exists, everyone in that area can be charged with "constructive possession" and all individuals are liable unless those individuals personally responsible for the possession or use of the illegal substances are identified.

Any violation of these policies is considered a serious offense, and violators are subject to disciplinary actions. Criminal conduct is grounds for immediate action by the Administration and may result in suspension or dismissal. Compliance with these standards is mandatory.

**F. From the Manor College Catalogue 2008-2010:**

Manor College is in full agreement and compliance with Gen-90-9, Section 22: The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). The unlawful possession, use or distribution of drugs and alcohol by students and employees on the property of Manor College or any part of Manor College's activities is clearly prohibited.

**DEFINITIONS AND LEGAL SANCTIONS UNDER LOCAL, STATE, AND FEDERAL LAW FOR UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL.**

**A. ABINGTON TOWNSHIP** –There are no local laws in the township wherein Manor College is situated regarding unlawful possession, use, or distribution of illicit drugs and alcohol distinct from those of the State.

**B. PENNSYLVANIA** - All persons while in the Commonwealth of Pennsylvania are subject to the Pennsylvania Liquor and Penal Codes. Following are excerpts from the Pennsylvania Crimes Code - Title 18.

*Note: This listing is not intended to be a comprehensive listing and is not intended for legal purposes.*

**1. TITLE 18 (ALCOHOL-RELATED STATUTES)**

**a. Section 5505 -- Public Drunkenness**

A person is guilty of a summary offense if he appears in any public place manifestly under the influence of alcohol... to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.

**Penalty:** 1<sup>st</sup> Offense - Fine - 0-\$300 - Jail - 0-90 days

**b. Section 6307 -- Misrepresentation of Age to Purchase Liquor or Malt or Brewed Beverages**

A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages.

<b>Penalty</b>	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	Subsequent Offense
Fine	0-\$300	0-\$500	0-\$500
Jail	0-90 days	1 year	1 year
License Suspension	90 days	1 year	2 years

**c. Section 6308 -- Purchase, consumption, possession or transportation of liquor or malt or brewed beverages by a minor**

A person commits a summary offense if he/she, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages.

<b>Penalty</b>	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	Subsequent Offense
Fine	0 - \$300	0 - \$500	0 - \$500
Jail	0 - 90 days	0 - 90 days	0 - 90 days
License Suspension	90 days	1 year	2 years

**d. SECTION 6309 - Representing to liquor dealers that a minor is of age**

A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully and falsely represents to any licensed dealer or other person, any minor to be of full age, for the purpose of inducing [that] person to sell or furnish any liquor or malt or brewed beverages.

**Penalty:** Fine - \$300-\$2500 Jail - 0-1 year

**e. Section 6310 - Inducement of minors to buy liquor or malt or brewed beverages**

A person is guilty of a misdemeanor of the third degree if he/she hires or requests or induces any minor to purchase, or offer to purchase, liquors or malt or brewed beverages....from a duly licensed dealer for any purpose.

**Penalty:** Fine - \$300-\$2500 Jail - 0-1 year

**f. Section 6310.1 - Selling or furnishing liquor or malt or brewed beverages to minors**

A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or... furnishes or purchases with the intent to sell or furnish any liquor or malt or brewed beverages to persons less than 21 years of age.

*This section does not apply to any religious service or ceremony which may be conducted in a private home or a place of worship where the amount of wine served does not exceed the amount reasonable, customarily and traditionally required as an integral part of the service or ceremony.*

<b>Penalty</b>	1 <sup>st</sup> Offense	2 <sup>nd</sup> and Subsequent Offenses
Fine	\$1000-\$2500	\$2500
Jail	0-1 year	0-1 year

**g. Section 6310.7 - Selling or furnishing nonalcoholic beverages to persons under 21**

A person commits a summary offense if he intentionally and knowingly sells or furnishes nonalcoholic beverages to any person under 21 years of age. As used in this section, the term "nonalcoholic beverage" means any beverage *intended to be marketed or sold as nonalcoholic beer, wine or liquor having some alcohol content but not containing more than 0.5% alcohol by volume.*

**Penalty:** Fine - 0 - \$300 Jail - 0 - 90 days

**h. Section 6310.2 - Manufacture or Sale of False Identification Card**

A person commits a misdemeanor of the second degree if he intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another.

<b>Penalty</b>	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense and Subsequent Offenses
Fine	\$1000-\$5000	\$2500-\$5000
Jail	0-2 years	0-2 years

**i. Section 6310.3 - Carrying a False ID**

A person commits a summary offense for a first violation and a misdemeanor of the third degree for subsequent violations if he/she, being under 21, possesses an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older or obtains or attempts to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of that person who possesses the card.

<b>Penalty</b>	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	Subsequent Offense
Fine	0-\$300	0-\$500	0-\$500
Jail	0-90 days	0-1 year	0-1 year
License Suspension	90 days	1 year	2 years
Parental Notification			

**j. Section 7513 - Restriction on alcoholic beverages**

It is unlawful for any person who is an operator or an occupant in any motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverage or controlled substance... in a motor vehicle while the motor vehicle is located on any highway in this commonwealth. This section does not prohibit possession or consumption by passengers in the passenger areas of a motor vehicle designed, maintained or used primarily for the lawful transportation of persons for compensation, including buses, taxis and limousines, or persons in the living quarters of a house coach or house trailer. Any person who violates this section commits a summary offense.

**Penalty:** Fine - 0 - \$300 Jail - 0 - 90 days

**2. TITLE 35 - PA CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.**

**a. § 780-113, et. al.** - The Commonwealth prohibits, [in summary,] the manufacture, growth, sale or delivery, holding, offering for sale, or possession of any controlled substance by a person not registered under this act, or a practitioner not registered or licensed by the appropriate State board, unless the substance was obtained directly from a valid prescription order or by order of a licensed practitioner.

**b. Penalties** - Penalties for first-time violators of the Act range from imprisonment not exceeding 30 days and a fine not exceeding five hundred dollars (\$500) or both for possession or distribution (though not sale) of a small amount of marijuana or hashish, to imprisonment not exceeding fifteen years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic drug.

**i. 18 Pa. C.S. Section 6314a** - A person over eighteen years of age who is convicted of violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a mandatory minimum of one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor.

**ii. Pa. C.S. Section 6317** - If the offense is committed within 1,000 feet of the real property on which a college is located, the person shall be sentenced to a mandatory minimum sentence of at least two years total confinement but no more than four years.

**iii. 18 Pa.C.S. §7508** - amended 12/19/90, provides for Mandatory Sentencing for Drug Offenses

**c. The Pharmacy Act of 1961, 63 Pa. C.S.A. 390-8** makes it unlawful to procure or attempt to procure drugs by fraud, deceit, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year's imprisonment, a \$5,000 fine, or both.

*The extensive, comprehensive list of drugs and their classifications in §780-104- Schedule of Controlled Substances, (in the Unconsolidated Pennsylvania Statutes, Title 35, Health and Safety, Chapter 6 – Drugs, Poisons, and Dangerous Substances of the Controlled Substance, Drug, Device and Cosmetic Act.) can be found at the following website: [http://members.aol.com/Judiciary/35PA780\\_104.html](http://members.aol.com/Judiciary/35PA780_104.html)*

### **C. THE FEDERAL DRUG LAWS**

**1. The Controlled Substances Act, 21 U.S.C. 801 et seq., - SUMMARY** The Federal drug laws are similar to the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, but contain, for the most part, more severe penalties. Schedules of controlled substance are established, and it is made unlawful knowingly or intentionally to manufacture, distribute, dispense, or possess with intent to distribute or dispense a controlled substance. If the quantity of controlled substance is large (e.g. 1,000 kg. of a mixture or substance containing marijuana), the maximum penalties are life imprisonment, a \$4,000,000 fine, or both. Lesser quantities of controlled substance (e.g. 100 kg. of a mixture or substance containing marijuana) result in maximum penalties of life imprisonment, a \$2,000,000 fine, or both. The distribution of a small amount of marijuana for no remuneration or simple possession of a controlled substance carries a maximum of one year's imprisonment, \$5,000 fine, or both, with the penalties for the second offense doubling. Probation without conviction is possible for first offenders. Distribution to persons under the age of twenty-one by

persons eighteen or older carries double or triple penalties. Double penalties also apply to the distribution or manufacture of a controlled substance in or on or within 1,000 feet of the property of a school or college.

### **2. Federal Penalties and Sanctions for Illegal Trafficking and Possession of a Controlled Substance (As of 1/1/96)**

\*The Controlled Substances Act (1970) places all substances regulated under federal law into one of five schedules based on the substance's medical use, potential for abuse, and safety or dependence liability.

Penalties for Violation of PA Controlled Substances Act		
Controlled Substances	Prohibited Acts	Penalty (Maximum)
Schedule I or II Narcotic	<ul style="list-style-type: none"> <li>• Possession (M)</li> <li>• Possession with intent to deliver</li> <li>• Delivery</li> <li>• Distribution to under 18 by those over 21</li> </ul>	<p>1 yr. and \$5,000 fine</p> <p>15 yrs. &amp; \$250,000 fine</p> <p>30 yrs. &amp; \$250,000 fine</p>
Schedule I Marijuana (<30 g) Hashish (<8 g)	<ul style="list-style-type: none"> <li>• Possession (for use)</li> <li>• Distribution without sale</li> </ul>	<p>30 days &amp; \$500 fine</p> <p>30 days &amp; \$500 fine</p>
Schedule I or II or III Non-narcotic	<ul style="list-style-type: none"> <li>• Possession</li> <li>• Possession with intent to deliver and delivery</li> <li>• Distribution to under 18 by those over 21</li> </ul>	<p>1 yr &amp; \$5,000 fine</p> <p>5 yrs. &amp; \$15,000 fine</p> <p>10 yrs. &amp; \$15,000 fine</p>
Schedule IV	<ul style="list-style-type: none"> <li>• Possession</li> <li>• Possession with intent to deliver and delivery</li> <li>• Distribution to under 18 by those over 21</li> </ul>	<p>1 yr. &amp; \$5,000 fine</p> <p>3 yrs. &amp; \$10,000 fine</p> <p>6 yrs. &amp; \$10,000 fine</p>

### A. FEDERAL TRAFFICKING PENALTIES – CONTROLLED SUBSTANCES

Controlled Substances	1st Offense	2nd Offense	Quantity	Drug	Quantity	1st Offense	2nd Offense
<b>I and II</b>	*Not less than 5 years. Not more than 40 years  *If death or serious injury, not less than 20 years or more than life  *Fine of not more than \$2 million individual, \$5 million other than individual	*Not less than 10 years. Not more than life  *If death or serious injury, not less than life  *Fine of not more than \$4 million individual \$10 million other than individual	10-99 gm pure or 100-999 gm mixture	<b>Methamphetamine</b>	100 gm or more pure of 1 kg or more mixture	*Not less than 10 years. Not more than life.  *If death or serious injury, not less than 20 years or more than life.  *Fine of not more than \$4 million individual, \$10 million other than individual	*Not less than 20 years. Not more than life  *If death or serious injury, not less than life  *Fine of not more than \$8 million individual, \$20 million other than individual.
			100-999 gm mixture	<b>Heroin</b>	1 kg or more mixture		
			500-4,999 gm mixture	<b>Cocaine</b>	5 kg or more mixture		
			5-49 gm mixture	<b>Cocaine Base</b>	50 gm or more mixture		
			10-99 gm pure or 100-999 gm mixture	<b>PCP</b>	100 gm or more pure or 1 kg or more mixture		

			1-9 gm mixture	<b>LSD</b>	10 gm or more mixture		
			40-399 gm mixture	<b>Fentanyl</b>	400 gm or more mixture		
			10-99 gm mixture	<b>Fentanyl Analogue</b>	100 gm or more mixture		
<b>Controlled Substances</b>			<b>Drug</b>	<b>Quantity</b>	<b>1st Offense</b>		<b>2nd Offense</b>
<b>I and II</b>			Others (law does not include marijuana, hashish, or hash oil)	Any	*Not more than 20 years *If death or serious injury, not less than 20 years, not more than life *Fine \$1 million individual, \$5 million not individual		*Not more than 30 years *If death or serious injury, life *Fine \$2 million individual, \$10 million not individual
<b>III</b>			All (included in Schedule III are anabolic steroids, codeine and hydrocodone with aspirin or Tylenol®, and some barbiturates)	Any	*Not more than 5 years *Fine not more than \$250,000 individual, \$1 million not individual		*Not more than 10 years *Fine not more than \$500,000 individual, \$2 million not individual
<b>IV</b>			All (included in Schedule IV are Darvon®, Talwin®, Equanil®, Valium®, and Xanax®)	Any	*Not more than 3 years *Fine not more than \$250,000 individual, \$1 million not individual		*Not more than 6 years *Fine not more than \$500,000 individual, \$2 million not individual
<b>V</b>			All (over-the-counter cough medicines with codeine are classified in Schedule V)	Any	*Not more than 1 year *Fine not more than \$100,000 individual, \$250,000 not individual		*Not more than 2 years *Fine not more than \$200,000 individual, \$500,000 not individual

**B. FEDERAL TRAFFICKING PENALTIES - MARIJUANA  
(INCLUDES HASHISH AND HASHISH OIL) (AS OF 1/1/96)**

Description	Quantity	1st Offense	2nd Offense
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<b>Marijuana</b>	1,000 kg or more mixture; or 1,000 or more plants	*Not less than 10 years, not more than life *If death or serious injury, not less than 20 years, not more than life *Fine not more than \$4 million individual, \$10 million other than individual	*Not less than 20 years, not more than life *If death or serious injury, not more than life *Fine not more than \$8 million individual, \$20 million other than individual
<b>Marijuana</b>	100 kg to 999 kg mixture; or 100-999 plants	*Not less than 5 years, not more than 40 years *If death or serious injury, not less than 20 years, not more than life *Fine not more than \$2 million individual, \$5 million other than individual	*Not less than 10 years, not more than life *If death or serious injury, not more than life *Fine not more than \$4 million individual, \$10 million other than individual
<b>Marijuana</b>	50 to 99 kg mixture ----- 50 to 99 plants	*Not more than 20 years *If death or serious injury, not less than 20 years, not more than life *Fine \$1 million individual, \$5 million other than individual	*Not more than 30 years If death or serious injury, not more than life Fine \$2 million individual, \$10 million other than individual
<b>Marijuana</b>	Less than 50 kg mixture	*Not more than 5 years *Fine not more than \$250,000, \$1 million other than individual	*Not more than 10 years *Fine \$500,000 individual, \$2 million other than individual
<b>Hashish</b>	10 kg or more		
<b>Hashish Oil</b>	1 kg or more		

**C. FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE** (*Not a comprehensive listing*)

**1. 21 U.S.C. 844(a)**

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provision for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram

**2. 21 U.S.C. 853(a)(2) and 881(a)(7)**

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See

special sentencing provisions re: crack)

**3. 21 U.S.C. 881(a)(4)**

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

**4. 21 U.S.C. 844a**

Civil fine of up to \$10,000 (pending adoption of final regulations).

**D. SUMMARY OF SECTION 484 STUDENT ELIGIBILITY FOR FEDERAL LOANS, WORK-STUDY**

A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table:

<b>Student Ineligibility for Grants, Loans, or Work Assistance</b>			
For <i>possession</i> of a controlled substance, ineligibility period is:		For <i>sale</i> of a controlled substance, ineligibility period is:	
First conviction	1 year	First conviction	2 years
Second conviction	2 years	Second conviction	Indefinite
Third conviction	Indefinite		

*Note: These are only Federal penalties and sanctions. There are additional Pennsylvania state penalties and sanctions which may apply.*

**E. SECTION 952 (SUMMARY) ALCOHOL OR DRUG POSSESSION DISCLOSURE TO PARENTS OR GUARDIANS**

Authorizes IHEs to disclose to parents and guardians violations of institutional policies or rules in addition to local, state, and federal laws governing the use or possession of alcohol or a controlled substance if the student is under 21 and if the IHE determines that the student has committed a violation with respect to such use or possession.

## DESCRIPTION OF THE HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND THE ABUSE OF ALCOHOL.

### A. Description of the health risks associated with the abuse of alcohol:

1. Short-term or acute, effects of alcohol abuse include:
  - Mild disinhibition (exaggerated feelings of anger, fear, anxiety, etc.)
  - Mild sedation
  - Vasodilation of the blood vessels on the surface of the body
  - Increased heart rate
  - Increased skin temperature
  - Loss of muscle control, including slurred speech and poor coordination
  - Painful hangovers, including fatigue, nausea, and headaches
  - Impaired judgment
  - Impaired thinking and reasoning processes (poor concentration)
  - Unconsciousness
  - Blackouts
  - **Possible death from alcohol overdose or aspiration of vomitus**
2. The effects of long-term or chronic abuse of alcohol include:
  - a. Problems of the digestive system
    - Nausea
    - Cancer of the esophagus, stomach, liver, mouth, throat
    - Problems with the liver, including development of a fatty liver
    - Alcoholic hepatitis
    - Cirrhosis of the liver (the sixth leading cause of death in the United States)
    - Portal hypertension (build up of pressure on the blood vessels passing through the liver) - 33% mortality rate
    - Pancreatitis
    - Gastritis
    - Ulcer formed over a major blood vessel ("bleeding ulcer")
  - b. Chronic state of malnutrition which sometimes leads to the development of tuberculosis, anorexia, and/or decline in the effectiveness of the immune system
  - c. Avitaminosis (lack of adequate vitamin intake or inability to use vitamins effectively)
  - d. Problems of the heart and circulatory system
    - Aspirative pneumonia (aspirating material vomited during and after drinking)
    - Alcohol is cardiotoxic (toxic to the muscle tissue of the heart), and abuse may lead to irregular heartbeat, coronary artery disease, hypertension, heart pain (angina) and cardiomyopathy (inflammation of the heart muscle, found in approximately one quarter of chronic alcoholics)
  - e. Problems of the central nervous system
    - Poor vision
    - Loss of coordination
    - Loss of sensation
    - Peripheral neuropathies (deterioration of the peripheral nerves in the hands and feet, found in 5 - 15% of chronic alcoholics)
    - Alcohol-induced brain damage
    - Dementia
    - Memory disturbance, including blackouts
    - Wernicke's encephalopathy (resulting from thiamine deficiency, and leading to Korsakoff's psychosis)
    - Interference with normal sleep cycle

### 3. Emotional problems

#### a. Neurotic symptoms

- Depression
- Generalized anxiety disorder
- Panic attacks
- Increased tension, anger, isolation

#### b. Psychotic symptoms

- Alcohol - induced depression
- Suicide risk - lifetime risk for suicide among alcoholics almost 15%
- Hallucinations
- Brain damage resulting in permanent psychosis

### 4. Behavioral Problems

- Child abuse (up to 90% of cases involve alcohol)
- Incest (twice as likely to happen in alcoholic families as in non- alcoholic ones)
- Family violence (55% of incidents occur in alcoholic homes)
- Fights
- Risk-taking behaviors

### 5. Gynecological and sexual problems

- Difficult menstruation
- Miscarriages
- Infertility
- (Drinking during pregnancy) - Fetal alcohol syndrome and fetal alcohol effect - infants have irreversible physical abnormalities and mental retardation
- Impotency
- Male sterility
- In males: Testicular atrophy and breast enlargement
- In females: Increased risk of breast cancer

### 6. Withdrawal symptoms - Delirium tremens (DT's)

- Severe anxiety
- Tremors
- Hallucinations
- Convulsions
- Alcohol withdrawal can be life threatening.

### 7. Other complications

- Dependence requiring medically-monitored withdrawal
- Accidents, injuries from falls, including head injuries
- Traffic fatalities (nearly half are alcohol-related)
- Tobacco compounds the health dangers of alcohol and increases risk of cancer of the oral cavity.
- Degeneration of muscle and bone
- Premature aging

### 8. Special problems for students:

- Poor grades, school failure
- Social conflicts
- Accidents and injuries
- Traffic accidents and fatalities (leading cause of death for 15 - 24 year olds)
- Significant factor in suicide and homicide attempts

- Poor health, damage to immune function
- Increases vulnerability to sexual assault

**Research has indicated that the effects of alcohol are progressive - the longer the person continues to drink and/or the greater the quantities consumed, the greater the damage.**

## **B. DESCRIPTION OF THE HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS:**

### **1. Stimulants**

#### a. Amphetamines

- Increased heart rate and blood pressure
- Loss of appetite
- Increased activity
- Feelings of energy and self-confidence are sometimes followed by depression
- Hallucinations, paranoia, temporary mental derangement as a result of heavy doses
- Exhaustion
- Withdrawal can result in suicidal depression
- Physical dependence (with prolonged use)
- Chronic use can result in heart problems, infections, malnutrition, and death

#### b. Cocaine (including crack/cocaine)

- Quickened pulse and circulation, sharpened reactions, restlessness
- Feelings of confusion, anxiety, depression
- Chronic use can result in paranoia, severe depression, nervous exhaustion, hallucinations, destruction of nasal tissues, painful nosebleeds
- Regular doses, as well as overdoses, can result in convulsions, respiratory paralysis, and death
- Increased risk for miscarriage, premature birth, stillbirth, delivery of an addicted baby and other problems including respiratory difficulties and impaired development of the baby

### **2. Depressants**

#### a. Barbiturates

- Slowed reactions
- Confusion, weakened emotional control, distortion of reality, reduced awareness

- Intoxication

#### b. Tranquilizers

- Relaxation, drowsiness
- Confusion
- Loss of coordination
- Intoxication
- Personality changes

#### c. Methaqualone

- Sleepiness
- Feeling of well-being
- Loss of coordination
- Dizziness
- Impaired perception
- Confusion
- Hangover

#### d. Common effects of all depressants:

- Slowed heart rate
- Slowed breathing
- Lowered blood pressure

- Chronic use may result in tolerance, physical and psychological dependence
  - Slowed reactions and confusion may result in serious accidents
  - Overdoses can result in coma, respiratory arrest, convulsions, and death
- 3. Hallucinogens (including LSD, mescaline/peyote, PCP)**
- a. Lysergic acid diethylamide and similar hallucinogens (MDA, DMT, STP, psilocybin)
- Increased heart rate
  - Increased blood pressure
  - Increased blood sugar
  - Irregular breathing
  - Loss of ability to separate fact and fantasy, distortion of senses, hallucinations, paranoia, panic, violence
  - Increased risk of birth defects in user's children
  - Flashbacks
  - Accidental or suicidal death
- b. Phencyclidine (legally classified as a depressant)
- Euphoria or depression - unpredictable
  - Distorted perceptions
  - Hallucinations
  - Confusion
  - Drowsiness
  - Loss of coordination
  - Irrational behavior
  - Overdose can cause psychosis, convulsions, coma, death
  - Abuse can result in murder, suicide, accidents
- 4. Narcotics (including heroin, morphine, opium, codeine, meperidine, methadone)**
- Shallow breathing
  - Reduced hunger, thirst
  - Reduced sex drive
  - Drowsiness
  - Lethargy, apathy
  - Heaviness of limbs
  - Loss of ability to concentrate
  - Loss of judgment and self-control
  - Chronic use may result in malnutrition, infection, hepatitis
  - Overdose may result in coma, convulsions, respiratory arrest, death
  - \* Shared needles places one at risk for HIV infection (the virus that causes AIDS)
- 5. Cannabis (marijuana, hashish, hashish oil, THC)**
- Increased heart rate
  - Lowered body temperature
  - Increased appetite
  - Loss of coordination
  - Possible confusion, distortion of reality
  - Sometimes depression and panic; sometimes no mood change
  - Large doses may result in hallucinations
  - Chronic use may be associated with:
    - memory loss
    - chronic lung disease, including bronchitis
    - lung cancer
  - Overdose may cause paranoia, psychosis-like state
- 6. Inhalants and aerosols (including glue, solvents, aerosol products)**
- Hazy euphoria

- Double vision
- Ringing in the ears
- Hallucinations
- Nausea
- Confusion, disorientation
- Disinhibition
- Overdose may result in stupor, seizures, cardio-respiratory arrest
- Toxic reactions include respiratory depression, cardiac arrhythmias, kidney damage, liver damage, seizures and death
- Gasoline sniffing may result in lead poisoning
- Chronic use may lead to damage to the central nervous system (brain damage), peripheral nervous system, kidneys, liver, lungs, heart, and bone marrow

## **DESCRIPTION OF DRUG AND ALCOHOL COUNSELING, TREATMENT, REHABILITATION, AND PREVENTION PROGRAMS THAT ARE AVAILABLE TO STUDENTS AND EMPLOYEES.**

### **A. Manor College Student Handbook (distributed to new students at Orientation and also available online on the Manor College website)**

#### **1. General description of the services offered by the Counseling Center:**

##### DESCRIPTION OF DRUG AND ALCOHOL COUNSELING AND REFERRAL SERVICES

Manor College strives to educate the “whole person” – morally, physically, spiritually, and socially. As a Catholic College, it is specifically concerned about the physical and moral welfare of all members of its community. It recognizes abuse of alcohol and drugs as a danger to this well-being and therefore, seeks to provide prevention and supportive intervention. Spiritual counseling is offered by the Manor College Campus Ministry Department.

It is often very difficult for people to acknowledge their own addictions-related problems. Confidential, non-judgmental, and objective feedback from a professional counselor can be extremely helpful. Psychological counseling, evaluation and referrals are available through the Counseling Department at no charge. Counseling is strictly confidential, except in cases where there is immediate danger to self and others. By law, use of counseling services does not appear on any student records. Counseling services are non-sectarian in nature and do not assume that the person seeking help has a specific religious belief. All are treated with respect and dignity. The counselors may make referrals to off-campus counseling, in-patient rehabilitation programs, in-patient detoxification programs, and 12 step (self-help) programs, including Alcoholics Anonymous, Narcotics Anonymous, and Adult Children of Alcoholics.

Abuse of alcohol and drugs is progressive – the longer the person continues the abuse, the greater the damage. Therefore, early intervention is imperative. Accordingly, the Counseling Department offers prevention programs, including speakers and discussions about addictions, the legal, social, and health consequences of drug and alcohol use, and information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. In addition, the Counseling Department maintains a lending library with information about addictions and risk factors which are associated with the development of addictions (such as being an adult child of dysfunctional families or addicts.)

If you have any concerns about drug/alcohol abuse, you may reach the Counseling Department at (215) 885-2360, extension 279 or (215) 885-6299.

#### **2. Prevention - Residence Life Information**

##### *Alcohol and Drug Policy Instructions*

The Alcohol and Drug Policy will be presented to all incoming students and parents during Freshmen Student Orientation in August. This policy will be issued by the Dean of Students.

Each Resident Assistant will review the Manor College Alcohol and Drug Policy with ALL Resident Students at their floor meetings.

There will be 2 mandatory information sessions on Drug and Alcohol Abuse per academic year. Resident students not attending these sessions will receive a fine and a minor violation.

**3. Description of availability of Campus Ministry and Health Services Coordinator** as additional resources to students in the area of drug and alcohol counseling.

### **B. Manor College Employee Handbook**

#### *1. In the section Drug Free Campus:*

Employees may contact the Counseling Office for information about addiction including using the lending library of addiction material and attending lectures and programs offered by the Counseling Office.

**C. Manor College Full-Time Faculty Handbook**

1. *In the section Drug Free Campus:*

An employee or student, who has a drug or alcohol related problem, may contact the Counseling Office and/or attend corrective programs offered by the Office.

2. *In Appendix J, Psychological/Psychiatric Emergency Procedures:*

*In the section Definition of Psychological/Psychiatric Emergencies:*

Other emergencies . . . could include... intoxication (from drugs or alcohol).

*In the section Procedure:*

Contact the Counseling Office either by phone or in person.

*In the section Other Guidelines:*

Whenever possible, please try to refer students to the Counseling Office before the emergency stage is reached.

**D. DRUG AND ALCOHOL COUNSELING, TREATMENT, OR REHABILITATION PROGRAMS THAT ARE AVAILABLE TO EMPLOYEES OF MANOR COLLEGE**

Upon referral to the Counseling Center, the counselors would do a brief initial assessment and if necessary, assist the employee by making an off-campus referral to alcohol and/or drug counseling; detoxification, rehabilitation or intensive outpatient counseling programs; and/or appropriate twelve-step programs.

**E. DRUG AND ALCOHOL COUNSELING, TREATMENT, OR REHABILITATION PROGRAMS THAT ARE AVAILABLE TO STUDENTS OF MANOR COLLEGE**

The following would be coordinated through the Counseling Center:

1. Alcohol education program following sanction for violation of Alcohol Policy.
2. Referral to detoxification programs for alcohol/drug abusers for students assessed by medical professionals as being in need of in-patient detoxification.
3. Referral to alcohol/drug in-patient treatment programs for students assessed as being in need of in-patient rehabilitation.
4. Students assessed by the counselors at Manor College as being in need of out-patient drug/alcohol counseling or treatment will be referred to off-campus counseling at a drug/alcohol treatment facility, program, or office of an individual clinical practitioner.
5. All students whose presenting problem involves alcohol and/or drug abuse will be referred to Alcoholics Anonymous, Narcotics Anonymous, or other appropriate twelve step programs including Adult Children of Alcoholics.

**F. DRUG AND ALCOHOL EDUCATION AND PREVENTION PROGRAMS WHICH ADDRESS THE LEGAL, SOCIAL, AND HEALTH CONSEQUENCES OF DRUG AND ALCOHOL USE AND WHICH PROVIDE INFORMATION ABOUT EFFECTIVE TECHNIQUES FOR RESISTING PEER PRESSURE TO USE ILLICIT DRUGS OR ALCOHOL OFFERED AT MANOR COLLEGE INCLUDE THE FOLLOWING:**

1. **A collection of brochures** pertaining to drug and alcohol abuse, as well as risk factors which are associated with the development of addictions, such as being an adult child of dysfunctional families or addicts, is on display and available to all interested students and employees on a carousel outside the Career and Transfer Center. This provides anonymity should an individual want information but not want to identify themselves to staff.
2. **Educational programs** sponsored by the Counseling Center and/or the Residence Hall staff are open to all interested students and employees. Attendance at mandatory information sessions on drug and alcohol abuse is part of the requirement of living in the Residence Hall and that requirement is spelled out in the Student Handbook.

**3. Counseling Center brochure** (See Appendix C) distributed to all students during Orientation, contains information on addictions counseling and a **self-screen of addictions problems** intended to help individuals to privately identify their own possible addiction issues.

**4. Emails on alcohol and drug related topics**, including the self-screen and information about the dangers of binge drinking and alcohol poisoning and the resources of the Counseling Center are sent at least once a semester to the entire Manor Community. (See Appendices D1-3)

**5. Counseling Center bulletin boards** often contain educational information about alcohol and drug abuse themes.

**6. Counseling Center website** – (See Appendices B1-4)

**7. Classroom Discussions, projects, presentations** – The topic of addictions and the harmful effects of alcohol and other drugs are covered, discussed, or chosen as subjects for projects and presentations in several Manor courses. Typically, these classes will be in Psychology and Early Childhood Education, but also in Dental Hygiene and Business Management, as indicated below.

- BA203, Principles of Management, discussion of alcohol and drugs in the workplace.
- Ps 101, Introduction to Psychology, discussion via group presentations and discussions as well as lectures, about all drugs and alcohol, their use, abuse, and addictions related to this topic. Students have the opportunity to do research, project, presentation or paper.
- Ed 102, Introduction to Childhood Education, discussion of drug and alcohol awareness as it relates to maternal and infant child health, including the short and long term effects on newborns who were exposed prenatally to drugs and/or alcohol.
- So 2022, Practice and Theory in Child Welfare and Mental Health, covers the effects of addiction on children, the addictive nature of various substances, as well as the physical/emotion toll that it takes on the family.
- Ps 102, Developmental Psychology, covers both alcoholism and drug abuse.
- In the Dental Hygiene program, students all work with patients on tobacco cessation; although not specifically assigned, topics such as recognizing methamphetamine abuse is frequently used as a table clinic topic when sophomores do their projects.

**A CLEAR STATEMENT THAT MANOR COLLEGE WILL IMPOSE SANCTIONS ON STUDENTS AND EMPLOYEES (CONSISTENT WITH LOCAL, STATE, AND FEDERAL LAW) AND A DESCRIPTION OF THESE SANCTIONS, UP TO AND INCLUDING EXPULSION OR TERMINATION OF EMPLOYMENT AND REFERRAL FOR PROSECUTION FOR VIOLATIONS OF THE STANDARDS OF CONDUCT.**

**A. From the Manor College Student Handbook (rev. 7/06)**

**Sanctions for Major Violations**

Sanctions will be determined by the Dean of Students in accordance with the gravity of the violation, and in full accordance with the Manor College Student Disciplinary Code. Persons or groups/organizations found responsible for the commission of a major violation can expect to receive one or a combination of the following sanctions:

**First Violation:**

1. Fine ranging from \$100 to \$400
2. Community Service: If community service sanction is not completed by a designated time, the assigned hours will be converted to a fine of \$15 per hour.
3. Residency Probation
4. Suspension from the Residence Hall
5. Ban from the Residence Hall
6. Dismissal from Residence Hall or College (The student may be held responsible for the full cost of the Residence Hall room for the remainder of the semester.)

7. Parental Notification\*
8. Notification of legal authorities
9. Restitution
10. Police Intervention: breathalyzer administered, citation issued (\$400-\$500 fine) and possible license suspension.(Manor College will not protect students from possible legal consequences of alcohol or drug possession and use.)
11. Paramedics will be called, if needed
12. Mandatory Drug and Alcohol education

**Second Violation:**

1. Fine ranging from \$200 - \$500
2. Dismissal from Residence Hall and/or College (The student may be held responsible for the full cost of the Residence Hall room for the remainder of the semester.)
3. Parental Notification\*
4. Notification of legal authorities
5. Restitution
6. Police Intervention: breathalyzer administered, citation issued (\$400-\$500 fine) and possible license suspension. (Manor College will not protect students from possible legal consequences of alcohol or drug possession and use.)
7. Paramedics will be called, if needed
8. Mandatory drug and alcohol education

Resident students age 21 and older must have signed a disciplinary waiver in order for the Dean of Students to disclose to parents or guardians the full details for the suspension or dismissal.

Under **Disciplinary Policy:** As per the provisions of the Federal Education Rights to Privacy Act, Section 99.31, notification will be made to the parents or legal guardians of any student under the age of 21 who violates the Manor College Alcohol and Drug Policy.

**B. From the Manor College Student Handbook**

Any drugs or drug paraphernalia found on the Manor College campus will be turned over to the proper authorities and, if deemed appropriate, the person involved will be turned over to the proper authorities as well. Manor College will not protect students from possible legal consequences of alcohol or drug possession and use.

*As per the provisions of the Family Education Rights to Privacy Act (section 99.31), notification will be made to the parents or legal guardians of any student under the age of 21 who violates the Manor College Alcohol and Drug Policy.*

**C. From the Manor College Student Handbook**

Student Code of Conduct

Philosophy of Discipline Procedure

Responsibility for Student Conduct Policies

Disciplinary Policy

Disciplinary Procedures

Administrative Hearing

Appeals Procedure – which concludes with the following statement:

*Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's disciplinary record. Residence Hall suspension or expulsion, College suspension or College expulsion shall remain a part of the student's disciplinary record.*

**D. From the Manor College Campus Security and Safety Procedures Manual**

Anyone coming to campus intoxicated or under the influence of a controlled substance, regardless of age, is also in violation of the College's Alcohol and Drug Policy. Anyone who has a guest on campus is responsible for their guest's conduct and for advising such persons of the alcohol and drug policy. Any drugs or drug paraphernalia found on the Manor College Campus will be turned over to the proper authorities and, if deemed appropriate, the person involved will be turned over to the proper authorities as well. Manor College will not protect members of its community from possible legal consequences of drug possession and use. If a situation occurs where illegal possession or use of drugs exists, everyone in that area can be charged with "constructive possession" and all individuals are liable unless those individuals personally responsible for the possession or use of the illegal substances are identified.

Any violation of these policies is considered a serious offense, and violators are subject to disciplinary actions. Criminal conduct is grounds for immediate action by the Administration and may result in suspension or dismissal. Compliance with these standards is mandatory.

**E. From the Manor College Employee Handbook in the section Drug Free Campus (policy #11):**

Administrative Guidelines A2:

Any employee convicted of a criminal drug conviction may:

a) Have appropriate personnel action taken up to and including termination of employment.

*or*

b) Be required to participate satisfactorily in a drug abuse assistance or rehabilitating program approved for such purposed by a Federal, State or local healthy, law enforcement, or other appropriate agency.

Administrative Guidelines A4:

In compliance with the Drug-Free Workplace Act, any employee convicted of a criminal drug violation in the workplace must notify the College within five (5) calendar days of the conviction. This reporting requirement is a condition of continued employment. The College must, in turn, notify the contracting agency of the conviction within ten (10) days after receiving notice of the conviction. An employee convicted of criminal drug violation, whether on or off Manor College's premises and whether or not during working house, is subject to disciplinary action, up to and including termination.

**F. From the Manor College Full Time Faculty Handbook, in the section Drug Free Campus:**

The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace or while on duty for the College off campus. Any employee or student engaged in such conduct is subject to immediate disciplinary action up to and including termination of employment or enrollment.

**G. At the beginning of every academic year, an email is sent to the entire Manor Community stating the Drug-Free Campus policies of Manor College with a link to the contents of this Manual online. (Appendix D3)**

**REQUIREMENTS OF BIENNIAL REVIEW**

Biennial review of the program to:

1. Determine its effectiveness and implement changes if they are needed.  
Incidents of Alcohol violations were reviewed in Spring 2008 and the Drug and Alcohol policy was revised and published on Manor's website. The addendum to the Student Handbook was inserted into all Handbooks and given to incoming students in Fall 2009 and Spring 2009.
2. Ensure that its disciplinary sanctions are consistently enforced.  
Disciplinary sanctions were reviewed for consistency and found to follow the guidelines in our Student Handbook. See Appendix J for statistical information.

This manual was edited and updated by:

Olga Guerra, MS, LPC, NCC  
Director of Counseling, Manor College  
PA Licensed Professional Counselor  
March, 2009

## APPENDIX A

**Title 75 (The Pennsylvania Vehicle Code - Driving Under the Influence)**

**a. Section 3101 et seq.**, which was amended effective July 1, 1977, prohibits driving under the influence of alcohol or a controlled substance, or both, if the driver thereby is rendered incapable of safe driving. A police officer is empowered to arrest without a warrant any person whom he or she has probable cause to believe has committed a violation, even though the officer may not have been present when the violation was committed. A person so arrested is deemed to have consented to a test of breath or blood for the purpose of determining alcoholic content, and if a violation is found it carries the penalties of a misdemeanor of the second degree, which includes **imprisonment for a maximum of thirty days**.

**b. Section 1543 - Driving while operating privilege is suspended or revoked**

A person is guilty of a summary offense if he/she is driving while his/her operating privileges are suspended or revoked due to a charge for driving under the influence or as a condition of acceptance of Accelerated Rehabilitative Disposition (ARD) or for refusal to take a chemical test.

**The mandatory penalty is a \$1,000 fine, 90 days in jail and an additional 1-year license suspension for first conviction.**

A person who has an amount of alcohol by weight in his/her blood that is equal to or greater than .02% or is under the influence of a controlled substance... and who drives a motor vehicle on any highway or traffic way of this Commonwealth at a time when the person's operating privilege is suspended or revoked as a condition of acceptance of Accelerated Rehabilitative Disposition for a violation of driving under the influence or because of a violation of section 1547(b)(1) (refusal to take a chemical test) or is suspended under section 1581 for an offense substantially similar to a violation of section 3731 (driving under the influence) shall, upon a first conviction, be guilty of a summary offense and shall be sentenced to pay a fine of \$ 1,000 and to undergo imprisonment for a period of not less than 90 days.

**[A second violation constitutes a misdemeanor of the third degree. The penalty shall be a fine of \$ 2,500 and imprisonment for not less than six months. A third or subsequent violation of this paragraph shall constitute a misdemeanor of the first degree. The penalty is a fine of \$ 5,000 and imprisonment for not less than two years.]**

**c. Section 1547 - Chemical testing to determine amount of alcohol or controlled substance**

Any person who drives, operates or is in actual physical control of the movement of a motor vehicle in Pennsylvania shall be deemed to have given consent to one or more chemical tests of breath, blood or urine for the purposes of determining the alcoholic content of blood or the presence of a controlled substance if a police officer has reasonable grounds to believe that person to have been driving, operating or in actual physical control of the movement of the motor vehicle:

- While under the influence of alcohol or a controlled substance or both; or
- which was involved in an accident in which the operator or passenger of any vehicle involved or a pedestrian required treatment at a medical facility or was killed.

**If a person refuses to submit to a chemical test, the testing shall not be conducted but upon notice by the police officer, the Department of Transportation shall suspend the operating privilege of the person for a period of 12 months.**

**d. Section 3718 - Minor prohibited from operating with any alcohol in system**

Notwithstanding any other provision of this title, a minor (person under 21 years of age) shall not drive, operate or be in physical control of a motor vehicle while having any alcohol in his system. A person who violates this section commits a summary offense and shall, upon conviction, be **sentenced to pay a fine of \$100.**

**e. Section 3731 - Driving under the influence of alcohol or controlled substance**

Pennsylvania has set .08% Blood Alcohol Content (BAC) as the legal limit for Driving Under the Influence (DUI) convictions. This law is effective September 30, 2003.

A person shall not drive, operate or be in actual physical control of the movement of any vehicle:

- While under the influence of alcohol to a degree which renders the person incapable of safe driving;
- While under the influence of any controlled substance . . . to a degree which renders the person of incapable of safe driving;
- While under the combined influence of alcohol and any controlled substance to a degree which renders the person incapable of safe driving; or
- While the amount of alcohol by weight in the blood of the person who is an adult is 0.08% or greater or a minor is 0.02% or greater.

It is considered prima facie evidence if an adult has 0.08%, a minor has 0.02% or anyone operating a commercial vehicle has 0.04% or more by weight of alcohol in his or her blood at the time of driving, operating or being in actual physical control of the movement of said vehicle. For the purpose of this section, the chemical test of the sample of the person's breath, blood or urine shall be from a sample obtained within three hours after the person drove, operated or was in actual physical control of the vehicle.

Any person violating any of the provisions of this section, on a first or second violation is guilty of a misdemeanor of the second degree. Any person on a third or subsequent violation within seven years is guilty of a misdemeanor of the first degree.

Note: The amendment to count out-of-state DUI offenses towards determining if this is a third or subsequent DUI is effective December 3, 2003.

<b>Penalty</b>	1st Offense	2nd Offense	3rd Offense	4th Offense
Fine	\$300 - \$5,000	\$300 - \$5,000	\$300 - \$10,000	\$300 - \$10,000
Jail	48 hours-2 yrs	30 days-2 yrs	90 days-5 yrs	1 - 5 yrs

**The operating privilege of any driver convicted of driving under the influence shall be suspended for 12 months.**

**A person may face additional suspensions and charges. These include:**

- A mandatory \$1,000 fine, minimum 90 day imprisonment, and an additional one year suspension if you drive on a suspended license
- Mandatory minimum three years imprisonment if you are found guilty of or plead guilty to homicide by vehicle while driving under the influence and
- Charges of a felony of the second degree when the violation is the cause of a serious bodily injury (See Section 3735.1 of the Pennsylvania Vehicle Code)

In some cases, first time DUI offenders may be eligible for the Accelerated Rehabilitative Disposition (ARD) program. Offenders are not eligible for the ARD Program if they:

- Have been convicted of a DUI within the past seven (7) years
- Have seriously injured or killed someone as the result of a DUI crash or

- Have been charged at the time of a DUI with other specific serious vehicle violations.

The ARD program consists of the following:

- 1 to 12 month license suspension
- Probation of at least 6 months to 2 years
- Restitution
- Attendance at Alcohol Highway Safety School and its costs
- CRN evaluation
- Court and administrative costs, and
- Treatment and other conditions that a judge may impose

**f. Section 3735 - Homicide by Vehicle While Driving Under the Influence**

Any person who unintentionally causes the death of another person as the result of... driving under the influence of alcohol or controlled substance and who is convicted of violating [the law regarding driving under the influence] is guilty of a felony of the second degree when the violation is the cause of death.

**The penalty is a mandatory sentence of 3-10 years incarceration and consecutive 3-10 year terms for each victim whose death is a result. The fine may be as high as \$25,000 per victim.**

**g. Section 3735.1 - Aggravated Assault by Vehicle While Driving Under the Influence**

Any person who negligently causes serious bodily injury to another person as the result of a violation of section 3731 (relating to driving under the influence of alcohol or controlled substance) and who is convicted of violating section 3731 commits a felony of the second degree when the violation is the cause of the injury.

**Penalty:** Fine - 0 - \$25,000      Jail - 0 - 10 years

## APPENDIX B

## Addictions Counseling



**The Counseling Center**  
"We're here for you."

Worried you might have a substance abuse or other addiction problem such as gambling, or eating disorders? Is someone in your life worried about you? Take our [substance abuse/addictions self-screen](#) and ask yourself some tough questions.

The abuse of alcohol and other drugs has increased dramatically among the college-age populations, creating serious problems including addiction, poor academic performance, school drop-out and an increase in incidents of violence, vandalism, acquaintance rape, injury and even death.

The Counseling Center provides education about and limited treatment and referrals for problems with alcohol and other drugs, eating disorders, gambling, co-dependency, and other addiction problems. The [Drug-Free Campus Manual](#), kept in the Counseling Center, is available for the use of the Manor community. The notebook contains information about alcohol and other drugs, [their effects](#) on the body and mind, [resources for treatment](#), information about 12-step groups in the area, and [state](#) and [federal](#) laws and penalties related to underage use and abuse. Students are advised to be well-informed about the Manor [College Drug and Alcohol Policy](#). For information about the Manor College Drug and Alcohol Policy, refer to the [Manor College Student Handbook](#).

*[Following are print outs of the linked materials.]*

## APPENDIX B3

**Health Risks of Some Commonly-Abused Drugs****Stimulants**

- amphetamines - heart problems, hallucinations, malnutrition and even death, dependence
- cocaine - confusion, depression, hallucinations, convulsions, coma, death, destruction of nasal membranes, lesions in lungs, dependence

**Depressants**

- alcohol, barbiturates, tranquilizers, methaqualone - confusion, loss of coordination, liver damage, dependence, coma, death

**Cannabis**

- marijuana, hashish - confusion, loss of coordination, damage to lungs, dependence

**Hallucinogens**

- LSD - hallucinations, "flashbacks", possible birth defects
- PCP - depression, hallucinations, confusion, irrational behavior, with overdose, possible: convulsions, coma and death
- mescaline, MDA, DMT, STP, psilocybin - hallucinations, panic, "flashbacks"

**Narcotics**

- heroin, morphine, codeine, opium - lethargy, apathy, loss of judgment and self-control, malnutrition, infection, hepatitis, and dependence. Overdose can cause convulsions, coma, death.

**Deliriants**

- aerosol products, lighter fluid, paint thinner, amyl nitrate, etc. - loss of coordination, confusion, hallucinations, damage to lungs, brain, liver, and bone marrow, psychological dependence. Overdose can result in coma and death.

## APPENDIX B4

**Manor College Alcohol and Drug Policy**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Manor College has an official drug-free campus policy. The College complies with the Federal, State and local laws, including those which regulate the possession, use or sale of controlled substances.

Alcoholic beverages are not permitted on campus at any time. Both on campus and at all Manor College-sponsored activities, this policy prohibits, regardless of the age of student, the possession, consumption, or sale, distribution of alcohol, and the possession, use, sale or manufacture of illegal drugs or drug paraphernalia, as well as the unauthorized distribution or sale of prescription drugs or possession of prescription drugs not prescribed to the student. Indications of the presence of marijuana use such as, but not limited to, the odor of marijuana, lack of cooperation with room search or other obstructions, attempts to mask or eliminate odors during or prior to a search or other behaviors designed to avoid detection are considered major violations of this policy. Being on campus intoxicated or under the influence of a controlled substance is also a violation of this policy. Students who have a guest on campus are responsible for her/his conduct and for advising the guest of the Manor College Alcohol and Drug policy.

Any drugs or drug paraphernalia found on the Manor College campus will be turned over to the proper authorities and, if deemed appropriate, the person involved will be turned over to the proper authorities as well. Manor College will not protect students from possible legal consequences of alcohol or drug possession and use.

Because of the possible devastating effects of alcohol and drug abuse on the individual student including assault behaviors, alcohol poisoning, vulnerability to sexual assault, academic failure, injury and even death, Manor College is very serious about enforcement of its Alcohol and Drug Policy. All first alcohol violations will result in mandatory alcohol education. (For other sanctions that may be applied, please refer to Sanctions for Major Violations, p. 42 & 43.) In addition to strict enforcement, because our concern is the overall well-being of the student, we encourage the student who may be abusing alcohol and other substances to seek free confidential counseling through the Manor College Counseling Center.

*Note: As per the provisions of the Family Education Rights to Privacy Act (section 99.31) notification will be made to the parents or legal guardians of any student under the age of 21 who violates the Manor College Alcohol and Drug Policy.*

REVISED MAY 2008

**Definitions** (Student Handbook rev 7/06, p.40)

**Major Violations**

**Alcohol Abuse** – Possession of alcohol; detectable intoxication; being on the Manor College campus intoxicated; dispensing alcohol to others.

**Drugs** – The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or drug paraphernalia, as well as the unauthorized distribution of prescription drugs.

**Sanctions for Drug and Alcohol Violations** (Student Handbook, p. 42-3)

1. Fine ranging from \$100-\$400
2. Community Service: If community service is not completed by a designated

time, the assigned hours will convert to a fine of \$15/hour.

3. Residency Probation
4. Suspension from the Residence Hall
5. Ban from the Residence Hall
6. Dismissal from the Residence Hall and/or College. The student may be held responsible for the full cost of the Residence Hall room for the remainder of the semester.
7. Parental notification (if under 21 or if student signs a disciplinary waiver)
8. Notification of legal authorities
9. Restitution
10. Police Intervention: breathalyzer administered, citation issued (\$400-\$500 fine) and possible license suspension. (Manor College will not protect students from possible legal consequences of alcohol or drug possession and use.)
11. Paramedics will be called, if needed
12. Mandatory Alcohol Education

*See the Manor College Student Handbook for a list of sanctions for **second violations**.*

### **State and Federal Penalties**

Additionally, there are numerous State and Federal penalties. Here's just one of the penalties from the Federal Government for drug violations:

A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, student loans, or work assistance for a period of one to two years for first offense, up to 5 years for second and subsequent offenses.

For a more comprehensive listing of penalties see the Drug-Free Campus Manual in the Counseling Center or online under Student Life on the Manor College webpage.

## APPENDIX D3

**Notice for every member of the Manor College community:**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), Manor College has an official drug-free campus policy. The College complies with the Federal, State and local laws, including those which regulate the possession, use or sale of controlled substances.

As part of this compliance, Manor College has compiled a Drug-Free Campus Manual. It can be found on-line on both the Student Life and the Counseling Department webpages. The link is: [http://www.manor.edu/StudentLife/Drug\\_Free\\_Campus\\_Manual.pdf](http://www.manor.edu/StudentLife/Drug_Free_Campus_Manual.pdf) . There is a hard copy in the Counseling Center available for perusal.

Each member of the College community, employee and student alike, is expected to be familiar with and abide by the policies contained therein.

Below is a listing of the information contained in this manual:

- Manor College Drug and Alcohol Policies
- Definitions and legal sanctions under local and state law for drug and alcohol violations
- Definitions and legal sanctions under federal law for drug and alcohol violations
- Federal law on disclosure to parents or guardians
- Description of the health risks associated with the use of illicit drugs and the abuse of alcohol
- Description of drug and alcohol counseling, treatment, rehabilitation, and prevention programs available to students and employees
- Statement that Manor College will impose sanctions on students and employees (consistent with local, state, and federal law) and a description of these sanctions
- Requirements of biennial review

#### Appendices

Title 75 (The Pennsylvania Vehicle Code - Driving Under the Influence)

Addictions Counseling - From the Counseling Department Website

Copies of information linked to webpage

- 1- Do you have a substance abuse problem?
- 2- Referrals - Substance Abuse Treatment Facility Finder (copy of SAMHSA webpage link)
- 3- Health Risks of Alcohol and Drug Abuse
- 4- Manor College Alcohol and Drug Policy and Description of Manor College Drug and Alcohol Counseling and Referral Services

Counseling Department Brochure (page describing Addiction-Related Counseling and the relationship between drinking/drug use and sexual assault)

Substance Abuse Self-Screen

Here Are Facts You Need to Know (about dangers of binge drinking) (email sent every year)

Drug and Alcohol Facilities in Philadelphia and Surrounding Counties

Local ACOA meeting list

Alcohol and Drug Abuse (a concise description of Residence Hall Alcohol Policy given out as part of a packet at Residence Hall orientation by the Dean of Students)

Note: The Southeastern Pennsylvania AA Meeting Directory is kept in the Counseling Department

## APPENDIX D2

**HERE ARE FACTS YOU NEED TO KNOW:**

- Binge drinking\* can cause a “blackout”, basically *alcohol-induced amnesia*. The person may walk, talk, drive and *seem* okay, but is *actually* unable to think, plan, make decisions, give consent or remember anything that happened during the blackout. This is not the same as “passing out”. A blackout can occur with *even first-time drinkers*. For more information, see <http://www.duke.edu/~amwhite/Blackouts/index.html>
- Drinking too much can also cause alcohol poisoning (at BAC ~3.0<sup>^</sup>), which untreated, can result in death. Know what to do if a friend has the symptoms. Don’t just let them “sleep it off”; they could die. Signs and symptoms of alcohol poisoning include: mental confusion, vomiting, seizures, slow or irregular breathing, bluish skin color or paleness, unconsciousness. Learn more at: <http://www.collegedrinkingprevention.gov/OtherAlcoholInformation/factsAboutAlcoholPoisoning.aspx>
- College drinking can have serious consequences. Here are some stats:
  - Deaths: 1,400 college students between the ages of 18 and 24 die *each year* from *alcohol poisoning (BAC over 0.3)* and alcohol-related injuries, including motor vehicle crashes.
  - Injury: 500,000 students between the ages of 18 and 24 are injured accidentally under the influence of alcohol.
  - Assault: More than 600,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.
  - Sexual Abuse: More than 70,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape.
  - Unsafe Sex: 400,000 students between the ages of 18 and 24 had unprotected sex and more than 100,000 students between the ages of 18 and 24 report having been too intoxicated to know if they consented to having sex.
  - Academic Problems: About 25 percent of college students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall. Research has found that *the higher the consumption of alcohol, the lower the GPA*.
  - Alcohol Abuse and Dependence: In one study, 31 percent of college students met criteria for a diagnosis of alcohol abuse and 6 percent for a diagnosis of alcohol dependence. People with risk factors for developing alcoholism (such as family history) have increased risk with any level of alcohol consumption.
- Manor College has strict policies governing alcohol and drugs use. Know them - you don’t mess up your college career and or get a police record.

**IS YOUR ALCOHOL OR OTHER DRUG USE "A PROBLEM"?**

Take a simple “test” to find out

<http://www.manor.edu/StudentLife/Counsel/Substance.htm>

If you would like help with this or any other personal problem, we can help you at the Counseling Center or refer you to outside treatment. Call 215-885-6299 (a direct, confidential line), or stop in the Counseling Center, across from the gym in the Academic Building.

“We’re here for *you!*”

## APPENDIX J

### Drug and Alcohol-Related Incidents on the Manor College Campus, Years 2007 and 2008

#### **Incidents\***

2007

Drunkenness - 5 students involved in violations of alcohol policy

Drug possession – 4 students involved in violations of drug policy

2008

Drunkenness – 2 students involved in violations of alcohol policy

#### **Sanctions**

Violation of the **alcohol policy** warrants the following sanctions:

- Parental notification
- Notification of legal authorities – Police intervention and citation
- Suspension from the Residence Hall for two weeks
- Mandatory alcohol education

Violation of the **drug policy** warrants dismissal from the Residence Hall

\***Note:** There have been no alcohol or drug-related fatalities on Manor Campus.